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**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA**

Plaintiff, Pinnacle Pines Community Association, and Defendants, Lexington Insurance Company (“Lexington”), Everest national Insurance Company, Allied World National Assurance Company, and Chartis Specialty Insurance Company, by and through undersigned counsel, hereby stipulate to dismiss Lexington *only*, with prejudice pursuant to Rule 41(a)(1)(A)(ii), Fed.R.Civ.P. After Lexington is dismissed with prejudice, Lexington agrees to dismiss that portion of the pending Motion to Dismiss related to Lexington *only*. The Motion

1 to Dismiss as related to Chartis Specialty Insurance Company will remain.

2 Plaintiff enters into the instant stipulation based on verified representations that
3 Lexington's policies, nos. 6761260 and 6161313, have been exhausted in full.

4 RESPECTFULLY SUBMITTED this 5th day of February, 2013.

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LAW OFFICES OF JOHN CHAIX

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CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of February, 2013, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

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By: /s/ Danielle N. Gaudio